

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DOUBLEVISION ENTERTAINMENT,
LLC,

Plaintiff,

v.

NAVIGATORS SPECIALTY INSURANCE
COMPANY, et al.,

Defendants.

Case No. 14-cv-02848-WHA (JCS)

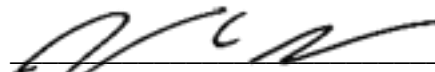
REPORT & RECOMMENDATION

Re: Dkt. No. 61

On March 16, 2015, Judge Alsup referred this case to the undersigned to hold an evidentiary hearing about an incident that occurred during a meet and confer in the Judge's jury room that day between attorneys Ryan Lapine and David Gabianelli. The referral required that the court make a recommendation as to whether either of the individuals involved should be referred to the Northern District of California's Standing Committee on Professional Conduct for disciplinary or remedial action. *See* Docket No. 61. Civil Local Rule 11-6(a) provides that "[i]n the event that a Judge has cause to believe that an attorney has engaged in unprofessional conduct, the Judge may, in addition to any action authorized by applicable law . . . [r]efer the matter to the Court's Standing Committee on Professional Conduct." In the time since the referral, much has occurred. The parties completed discovery and have now completed the trial in the matter. The record indicates that although counsel engaged in a heated exchange during a meet-and-confer on March 16, 2015, they acted responsibly during the subsequent trial proceedings. Therefore, the undersigned finds that no evidentiary hearing or referral to the Standing Committee is warranted

1 and recommends that the Court vacate the referral on this matter.

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3 Dated: July 24, 2015



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5 JOSEPH C. SPERO
Chief Magistrate Judge

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